

Message Text

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ACTION EB-08

INFO OCT-01 AF-10 ISO-00 AID-05 CIAE-00 COME-00 FRB-03
INR-10 NSAE-00 ICA-11 TRSE-00 XMB-02 OPIC-03
SP-02 LAB-04 SIL-01 OMB-01 NSC-05 SS-15 STR-07
CEA-01 /089 W
-----128378 081730Z /47
R 080849Z AUG 78
FM AMEMBASSY DAKAR
TO SECSTATE WASHDC 5261

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E.O. 11652: N/A
TAGS: ETRD, SG
SUBJECT: SENEGALESE LABOR STANDARDS

REF: STATE 136706

THE FOLLOWING IS FURNISHED IN RESPONSE TO THE QUESTIONS
POSED IN REFTEL.

1. THERE IS NO SLAVE, FORCED OR INDENTURED LABOR IN
SENEGAL.
2. THE MINIMUM AGE FOR INDUSTRIAL LABOR IS 14 YEARS.
WHILE THE LABOR CODE PROVIDES A MECHANISM FOR REQUESTING
EXCEPTIONS TO THIS RULE FROM THE MINISTRY OF LABOR
BASED UPON UNIQUE LOCAL CONDITIONS, SUCH WAIVERS
ARE BELIEVED TO BE QUITE RARE. EXTREMELY HIGH UNEMPLOYMENT
AND RELATIVELY INFLUENTIAL LABOR UNIONS MITIGATE AGAINST
EMPLOYMENT OF CHILDREN IN THE URBAN WAGE SECTOR.
3. SENEGALESE LAWS RELATING TO WORKER SAFETY IN GENERAL
AND WORKER EXPOSURE TO TOXIC SUBSTANCES IN PARTICULAR
ARE HOPELESSLY OUTDATED OR NON-EXISTENT. THEY WERE
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ADOPTED FROM THE FRENCH CODE OF THE PRE-INDEPENDANCE
ERA -- AND HAVE LITTLE OR NO RELEVANCE TO TODAY'S
CHANGED MODERN INDUSTRIAL SECTOR. WHILE THEORETICALLY
THE MINISTRY OF LABOR AND OF SOCIAL SECURITY ARE
RESPONSIBLE FOR AN INSPECTION PROGRAM TO "DETECT
WORKING CONDITIONS WHICH ENDANGER THE HEALTH OR SAFETY
OF WORKERS...AND REMEDY THE CONDITIONS," WE UNDERSTAND

THAT THE SAFETY PROGRAM IS COMPLETELY INEFFECTIVE. CONCERN IN SENEGAL ABOUT JOB SAFETY APPEARS TO BE RISING, HOWEVER, AS THE NUMBER OF ACCIDENTS REACH ALARMING PROPORTIONS. IN 1977 OVER 15,000 WORKERS WERE REPORTED INJURED AND 22 KILLED IN ON-THE-JOB ACCIDENTS, AND LOCAL LABOR EXPERTS BELIEVE THAT THOSE STATISTICS UNDERSTATE THE PROBLEM SINCE THE GOS RELIES ON THE EMPLOYERS THEMSELVES TO REPORT ACCIDENTS. (NOTE THAT THE TOTAL ECONOMICALLY ACTIVE URBAN POPULATION IS ONLY 420,000 AND ONLY 170,000 OF THOSE WORK IN THE MODERN WAGE SECTOR FROM WHICH WORKER ACCIDENTS ARE LIKELY TO BE REPORTED.) EVIDENCE OF RISING OFFICIAL CONCERN IS THE PROMINENT PLACE THE SEMI-OFFICIAL DAKAR DAILY LE SOLEIL GAVE TO A RECENT CONFERENCE ON JOB SAFETY SPONSORED BY THE ILO'S REGIONAL BUREAU IN DAKAR. AN EFFORT IS NOW UNDERWAY IN THE GOS TO DRAFT JOB SAFETY LEGISLATION WITH THE AID OF THE ILO. BUT THAT EFFORT IS A LONG WAY FROM FRUITION.

4. SENEGAL HAS NO LAW OR PRACTICE THAT APPLIES DIFFERENTIAL LABOR STANDARDS TO: FREE TRADE ZONES, INDUSTRIAL EXPORT INDUSTRIES OR FOREIGN MANUFACTURING INVESTMENT.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LABOR, STANDARDS
Control Number: n/a
Copy: SINGLE
Draft Date: 08 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978DAKAR05999
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780324-0563
Format: TEL
From: DAKAR
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780889/aaaacwit.tel
Line Count: 85
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 6e300467-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 136706
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1808986
Secure: OPEN
Status: NATIVE
Subject: SENEGALESE LABOR STANDARDS
TAGS: ETRD, SG
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/6e300467-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014